



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the **PATENT APPLICATION** of:

Cheng et al.

Application No.: 09/925,356

Filed: August 9, 2001

For: PROCESS OF FORMING FIELD
EMISSION ELECTRODE FOR
MANUFACTURING FIELD EMISSION

Group: Not Yet Known

Examiner: Not Yet Known

Our File: DEE-PT028

Date: August 24, 2001

**COMMUNICATION PURSUANT TO 37 C.F.R. §1.31(c)
CORRECTING ENTITY STATUS**

Commissioner for Patents
Washington, D.C. 20231

Sir:

The above-identified application was filed in good faith claiming small entity status, but it has now been discovered that the claim was erroneously made. Applicants' Assignee

§1.31(c).

There was a miscommunication between Applicants' U.S. counsel and Applicants' Taiwanese counsel which lead Applicants' U.S. counsel to believe that small entity status was appropriate. Applicants' U.S. counsel has now been advised that the claimed small entity status is not correct and has taken this immediate action to remedy same pursuant to the

provisions of 37 C.F.R. §1.31(c). 08/29/2001 TGEDAMU1 00000003 09925356

Adjustment date: 08/29/2001	TGEDAMU1	01 FC:101	710.00	DP	
08/13/2001	TGEDAMU1 00000034	03925356	02 FC:102	80.00	DP
01 FC:201		-355.00	DP		
02 FC:202		-40.00	DP		

Applicant: Cheng et al.
Application No.: 09/925,356

If there are any questions concerning this issue, please contact the undersigned.

Respectfully submitted,

Cheng et al.

By


C. Frederick Koenig III, Esquire
Registration No. 29,662
(215) 568-6400

Volpe and Koenig, P.C.
Suite 400, One Penn Center
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103

CFK/fap



Please type a plus sign (+) inside this box →

PTO/SB/21 (06-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	09/925,356
		Filing Date	August 9, 2001
		First Named Inventor	Cheng et al.
		Group Art Unit	Not Yet Known
		Examiner Name	Not Yet Known
Total Number of Pages in This Submission	5	Attorney Docket Number	DEE-PT028

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Communication Re Entity Status (2 pgs.).
Remarks		

Firm or individual name	C. Frederick Koenig III, Esquire Volpe and Koenig, P.C.	
Signature		
Date	August 24, 2001	

Reg. No. 29,662

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date

August 24, 2001

Typed or printed name	C. Frederick Koenig III, Esquire	
Signature		
Date	August 24, 2001	

Burden Hour Statement: This form is estimated to take 0 2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO Assistant Commissioner for Patents, Washington, DC 20231



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Volpe and Koenig, P.C. Revision of

PTO/SB/17 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 395.00)

Complete if Known

Application Number	09/925,356
Filing Date	August 9, 2001
First Named Inventor	Cheng et al.
Examiner Name	Not Yet Known
Group Art Unit	Not Yet Known
Attorney Docket No.	DEE-PT028

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 22-0493

Deposit Account Name Volpe and Koenig, P.C.

Charge Any Deficiency or Credit any Overpayment in the Total Fees Associated with this Communication

Applicant claims small entity status.
See 37 CFR 1.27

2. Payment Enclosed:

Check Credit card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	
Fee Code (\$)	Fee Code (\$)	
101 710	201 355	Utility filing fee
106 320	206 160	Design filing fee
107 490	207 245	Plant filing fee
108 710	208 355	Reissue filing fee
114 150	214 75	Provisional filing fee

Fee Paid

SUBTOTAL (1) (\$ 0)

2. EXTRA CLAIM FEES

Total Claims	Independent Claims	Extra Claims	Fee from below	Fee Paid
<input type="text"/>				
<input type="text"/>				
<input type="text"/>				

Large Entity Small Entity

103 18 203 9	Claims in excess of 20
102 80 202 40	Independent claims in excess of 3
104 270 204 135	Multiple dependent claim, if not paid
109 80 209 40	** Reissue independent claims over original patent
110 18 210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0)

** or number previously paid, if greater. For Reissues, see above

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
105 130	205 65	Surcharge - late filing fee or oath	<input type="text"/>
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	<input type="text"/>
139 130	139 130	Non-English specification	<input type="text"/>
147 2,520	147 2,520	For filing a request for ex parte reexamination	<input type="text"/>
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	<input type="text"/>
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	<input type="text"/>
115 110	215 55	Extension for reply within first month	<input type="text"/>
116 390	216 195	Extension for reply within second month	<input type="text"/>
117 890	217 445	Extension for reply within third month	<input type="text"/>
118 1,390	218 695	Extension for reply within fourth month	<input type="text"/>
128 1,890	228 945	Extension for reply within fifth month	<input type="text"/>
119 310	219 155	Notice of Appeal	<input type="text"/>
120 310	220 155	Filing a brief in support of an appeal	<input type="text"/>
121 270	221 135	Request for oral hearing	<input type="text"/>
138 1,510	138 1,510	Petition to institute a public use proceeding	<input type="text"/>
140 110	240 55	Petition to revive - unavoidable	<input type="text"/>
141 1,240	241 620	Petition to revive - unintentional	<input type="text"/>
142 1,240	242 620	Utility issue fee (or reissue)	<input type="text"/>
143 440	243 220	Design issue fee	<input type="text"/>
144 600	244 300	Plant issue fee	<input type="text"/>
122 130	122 130	Petitions to the Commissioner	<input type="text"/>
123 50	123 50	Processing fee under 37 CFR 1.17(q)	<input type="text"/>
126 180	126 180	Submission of Information Disclosure Stmt	<input type="text"/>

103 18 203 9	Claims in excess of 20	146 710 246 355	Filing a submission after final rejection (37 CFR § 1.129(a))
102 80 202 40	Independent claims in excess of 3	149 210 249 355	For each additional invention to be examined (37 CFR § 1.129(b))
104 270 204 135	Multiple dependent claim, if not paid	179 710 279 355	Request for Continued Examination (RCE)
109 80 209 40	** Reissue independent claims over original patent	169 900 169 900	Request for expedited examination of a design application
110 18 210 9	** Reissue claims in excess of 20 and over original patent	Other fee (specify) Large Entity Fee Deficiency	395.00

*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$ 395.00)

SUBMITTED BY

Name (Print/Type) C. Frederick Koenig III, Esquire

Signature

Complete (if applicable)

Registration No. (Attorney/Agent) 29,662

Telephone 215-568-6400

Date August 24, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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